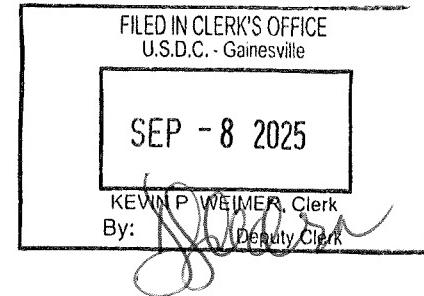


1 FREDERICK O. SILVER
2 21905 MOUNTAIN HWY E. UNIT 4143,
3 SPANAWAY, WA 98387-758
4 E-mail: ASCLV1@gmail.com
Tel: (702) 473-0365



6 THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF GEORGIA.
8 ATLANTA DIVISION.

10 FREDERICK O. SILVER
11 Plaintiff,
12 vs.
13 NATIONAL CREDIT SYSTEMS, INC.
14 Defendant.

CASE NO: 1:24-CV-03238-SCJ-JCF
District Judge: Steve C Jones
Magistrate Judge: Anna W. Howard

15 PLAINTIFF'S MOTION TO COMPEL DEFENDANT TO CEASE CREDIT
16 REPORTING PENDING LITIGATION.

18 I. INTRODUCTION

19 Plaintiff Frederick O. Silver respectfully moves this Court to order Defendant
20 National Credit Systems, Inc. ("NCS") to cease furnishing or reporting the alleged
21 debt to consumer reporting agencies while this litigation is pending.

22 II. ARGUMENT

- 24 1. Under 15 U.S.C. §1692g(b), a debt collector must cease all collection activity
25 until validation is provided after a written dispute. Courts recognize that
26 furnishing information to credit reporting agencies constitutes collection

activity. Edeh v. Midland Credit Mgmt., 748 F. Supp. 2d 1030 (D. Minn. 2010), aff'd 413 F. App'x 925 (8th Cir. 2011).

2. Under 15 U.S.C. §1692e(8), it is unlawful to communicate credit information that is known or should be known to be false, including failure to communicate that a debt is disputed.
3. Under 15 U.S.C. §1681s-2(b), furnishers must conduct a reasonable investigation of disputed debts and cease reporting inaccurate information. Gorman v. Wolpoff & Abramson, 584 F.3d 1147 (9th Cir. 2009).
4. Despite Plaintiff's disputes and the pendency of this lawsuit, Defendant continues to furnish the alleged debt as a valid collection account, causing ongoing harm to Plaintiff's creditworthiness.
5. Defendant's refusal to cease reporting the alleged debt demonstrates the precise abusive collection tactic that Congress intended to prevent under the FDCPA. By continuing to furnish this account while Plaintiff's dispute and this litigation are pending, Defendant is leveraging credit reporting as a weapon to coerce payment on a debt that Plaintiff does not owe. Courts recognize that furnishing information to consumer reporting agencies constitutes collection activity. *Edeh v. Midland Credit Mgmt., Inc.*, 748 F. Supp. 2d 1038, 1038-39 (D. Minn. 2010), aff'd, 413 F. App'x 925 (8th Cir. 2011). The continued reporting here is not an innocent mistake, but a deliberate pressure tactic designed to damage Plaintiff's creditworthiness and force settlement. Such conduct is unfair, deceptive, and unlawful under both the FDCPA, 15 U.S.C. §§ 1692g(b), 1692e(8), and the FCRA, 15 U.S.C. § 1681s-2(b).

III. RELIEF REQUESTED

Plaintiff respectfully requests that this Court:

- 1 1. Order Defendant NCS to immediately cease furnishing the alleged debt to
- 2 consumer reporting agencies pending the resolution of this action;
- 3 2. Grant such other and further relief as the Court deems just and proper.

4
5 Respectfully submitted,

6 Dated: this 2nd Day of September 2025.



7
8 FREDERICK O. SILVER
9 21905 MOUNTAIN HWY E, UNIT 4143,
10 SPANAWAY, WA 98387-758
11 E-MAIL: ASCLV1@GMAIL.COM
12 TEL: (702) 473-0365

13
14 CERTIFICATE OF SERVICE

15 I certify that a true and correct copy of this document was mailed to the Clerk
16 of Court United States District Court for the Northern District of Georgia at the
17 address listed below: US District Court Clerk: 121 Spring Street SE Room 201,
18 Gainesville, GA 30501-3789 and served on Katrina DeMarte, DeMarte Law, PLLC
19 39555 Orchard Hill Pl. Ste 600 / PMB 6338 Novi, MI 48375. Attorney for Defendant
20 National Credit Systems, Inc. via the Court efile system.

21
22 On this 2nd day of September 2025



23
24 FREDERICK O. SILVER
25 21905 MOUNTAIN HWY E, UNIT 4143.
26 SPANAWAY, WA 98387-758
27 E-MAIL: ASCLV1@GMAIL.COM
28 TEL: (702) 473-0365

Collection accounts

NATIONAL CREDIT SYSTEM

\$25,273

Original creditor: MAA BENTON APTS

Account info

Account name	NATIONAL CREDIT SYSTEM	Balance	\$25,273
Account number	549711X	Balance updated	Aug 24, 2025
Original creditor	MAA BENTON APTS	Original balance	\$25,273
Company sold	-	Monthly payment	-
Account type	Collection	Past due amount	\$25,273
Date opened	Jun 07, 2024	Terms	1 Month
Status	Collection account. \$25,273 past due as of Aug 2025.	Responsibility	Individual
Status updated	Jun 2024	Your statement	-

Payment history

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2025	C	C	C	C	ND	C	C	C	-	-	-	-
2024	-	-	-	-	-	-	-	C	C	C	C	C

C Collection

ND No data for this period

- Data Unavailable

Contact info

Address 3750 NATURALLY FRESH
BLV ATLANTA,
GA 30349

Phone number (404) 629-9595

Comments

Account information disputed by consumer (Meets requirement of the Fair Credit Reporting Act)

FREDERICK SILVER
L-24-CV-08388-SCJ-TER
CLAWED SECURITY
SE. 1/8 2025
U.S. MARSHALS SERVICE
Gainesville, GA

United States Courthouse
121 Spring Street SE Room 201
Gainesville, GA 30501-3789

30501-378851

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